

1 BARRY J. PORTMAN
2 Federal Public Defender
3 ANGELA M. HANSEN
Assistant Federal Public Defender
3 555 - 12th Street, Suite 650
Oakland, CA 94607-3627
4 Telephone: (510) 637-3500

5 Counsel for Defendant ALEXANDER

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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION

10 UNITED STATES OF AMERICA,) No. CR-11-00623 SBA
11 Plaintiff,) STIPULATED REQUEST TO CONTINUE
12 v.) HEARING DATE TO JANUARY 26, 2012
13) FOR JUDGMENT AND SENTENCING
14 BOBBY RAY ALEXANDER,) AND TO EXCLUDE TIME UNDER THE
15 Defendant.) SPEEDY TRIAL ACT AND ORDER
16 _____)

Hearing Date: November 14, 2011
Time: 10:00 a.m.

17 The above-captioned matter is set on November 14, 2011 before this Court for change of
18 plea. The parties jointly request that the Court continue the matter to January 26, 2012 at 10:00
19 a.m. for judgment, plea and sentencing, and that the Court exclude time under the Speedy Trial
20 Act, 18 U.S.C. § 3161(h)(1)(G), between the date of this stipulation and November 14, 2012.

21 The parties have reached a Federal Rule of Criminal Procedure 11(c)(1)(C) plea
22 agreement. The parties request that the Court take the parties' proposed plea agreement under
23 submission and that the Court refer this matter to the United States Probation Office for a full
24 pre-sentence investigation.

25 If the Court agrees to take the parties' proposed agreement under submission, the parties
26 agree that time should be excluded pursuant to 18 U.S.C. § 3161(h)(1)(G) based on the Court's

1 consideration of the proposed plea agreement to be entered into by the defendant and the
2 attorney for the government. A copy of the plea agreement and Mr. Alexander's signed consent
3 to institute a pre-plea investigation will be submitted together with the Court's courtesy copy of
4 this stipulation. These documents have not been manually filed.

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6 DATED: November 9, 2011

WADE M. RHYNE
Assistant United States Attorney

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9 DATED: November 9, 2011

ANGELA M. HANSEN
Assistant Federal Public Defender

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ORDER

2 Based on the reasons provided in the stipulation of the parties above, the Court hereby
3 FINDS:

4 1. Given that the parties have reached a Rule 11(c)(1)(C) agreement and have
5 submitted that agreement to the Court for consideration:

6 2. Given that Mr. Alexander has signed a consent to institute a pre-sentence
7 investigation and to disclose the report before his plea of guilty;

8 3. Given that the Court will take the proposed plea agreement under submission
9 until the United States Probation Office can prepare a Presentence Investigation Report:

10 Based on these findings, IT IS HEREBY ORDERED that this matter is referred to the
11 United States Probation Office to prepare a pre-plea Presentence Investigation Report. IT IS
12 FURTHER ORDERED that the status hearing set for November 14, 2011, scheduled at 10:00
13 a.m., before the Honorable Saundra Brown Armstrong, is vacated and this matter is reset to
14 January 26, 2012, at 10:00 a.m., for judgment, plea and sentencing.

15 IT IS FURTHER ORDERED that time is excluded under the Speedy Trial Act, 18 U.S.C.
16 § 3161(h)(1)(G), from the date of this Stipulation to January 26, 2012, based on the Court's
17 consideration of the proposed plea agreement to be entered into by the defendant and the
18 attorney for the government.

20 | November 9, 2011

Saundra B Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge